

AMENDED IN SENATE JUNE 25, 2014

AMENDED IN SENATE MAY 29, 2014

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 186**

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**Introduced by Assembly Member Maienschein**

**(Principal coauthor: Assembly Member Hagman)**

**(Coauthors: Assembly Members Chávez, Dahle, Donnelly,  
Beth Gaines, Garcia, *Gorell*, Grove, Harkey, Olsen, Patterson,  
and V. Manuel Pérez)**

**(Coauthors: Senators Fuller and Huff)**

January 28, 2013

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An act to add Section 115.6 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 186, as amended, Maienschein. Professions and vocations: military spouses: temporary licenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a

license to practice within that field in another jurisdiction, as specified. Existing law requires that the licensing fees imposed by certain boards within the department be deposited in funds that are continuously appropriated. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

This bill would, in addition to the expedited licensure provisions described above, establish a temporary licensure process for an applicant who holds a ~~current~~ *current, active, and unrestricted* license in another jurisdiction, as specified, and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. The bill would require a temporary license to expire 12 months after issuance, upon issuance of an expedited license, or upon denial of the application for expedited licensure by the board, whichever occurs first.

This bill would require an applicant seeking a temporary license as a civil engineer, geotechnical engineer, structural engineer, land surveyor, professional geologist, professional geophysicist, certified engineering geologist, or certified hydrogeologist to successfully pass the appropriate California specific examination or examinations required for licensure in those respective professions by the Board for Professional Engineers, Land Surveyors, and Geologists. The bill would also authorize a board to require an applicant to successfully pass an examination in jurisprudence or California law and ethics for the issuance of a temporary license if successfully passing the examination is a requirement for all applicants for full licensure.

This bill would exclude the California Architects Board, *the Landscape Architects Technical Committee*, *the Contractors' State License Board*, the State Board of Chiropractic Examiners, ~~or~~ and a board that established a temporary licensing process before January 1, 2014, from these provisions.

Because the bill would authorize the expenditure of continuously appropriated funds for a new purpose, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 115.6 is added to the Business and  
2 Professions Code, to read:  
3 115.6. (a) A board within the department shall, after  
4 appropriate investigation, issue a temporary license to an applicant  
5 if he or she meets the requirements set forth in subdivision (c).  
6 The temporary license shall expire 12 months after issuance, upon  
7 issuance of an expedited license pursuant to Section 115.5, or upon  
8 denial of the application for expedited licensure by the board,  
9 whichever occurs first.  
10 (b) The board may conduct an investigation of an applicant for  
11 purposes of denying or revoking a temporary license issued  
12 pursuant to this section. This investigation may include a criminal  
13 background check.  
14 (c) An applicant seeking a temporary license pursuant to this  
15 section shall meet the following requirements:  
16 (1) The applicant shall supply evidence satisfactory to the board  
17 that the applicant is married to, or in a domestic partnership or  
18 other legal union with, an active duty member of the Armed Forces  
19 of the United States who is assigned to a duty station in this state  
20 under official active duty military orders.  
21 (2) The applicant shall hold a ~~current license~~ *current, active,*  
22 *and unrestricted license that confers upon him or her the authority*  
23 *to practice*, in another state, district, or territory of the United  
24 ~~States in States~~, the profession or vocation for which he or she  
25 seeks a temporary license from the board.  
26 (3) The applicant shall submit an application to the board that  
27 shall include a signed affidavit attesting to the fact that he or she  
28 meets all of the requirements for the temporary license and that  
29 the information submitted in the application is accurate, to the best  
30 of his or her knowledge. The application shall also include written  
31 verification from the applicant's original licensing jurisdiction  
32 stating that the applicant's license is in good standing in that  
33 jurisdiction.  
34 (4) The applicant shall not have committed an act in any  
35 jurisdiction that would have constituted grounds for denial,

1 suspension, or revocation of the license under this code at the time  
2 the act was committed. A violation of this paragraph may be  
3 grounds for the denial or revocation of a temporary license issued  
4 by the board.

5 (5) The applicant shall not have been disciplined by a licensing  
6 entity in another jurisdiction and shall not be the subject of an  
7 unresolved complaint, review procedure, or disciplinary proceeding  
8 conducted by a licensing entity in another jurisdiction.

9 (6) The applicant shall, upon request by a board, furnish a full  
10 set of fingerprints for purposes of conducting a criminal  
11 background check.

12 (d) A board may adopt regulations necessary to administer this  
13 section.

14 (e) A temporary license issued pursuant to this section for the  
15 practice of medicine may be immediately terminated upon a finding  
16 that the temporary licenseholder failed to meet any of the  
17 requirements described in subdivision (c) or provided substantively  
18 inaccurate information that would affect his or her eligibility for  
19 temporary licensure. Upon termination of the temporary license,  
20 the board shall issue a notice of termination that shall require the  
21 temporary licenseholder to immediately cease the practice of  
22 medicine upon receipt.

23 (f) An applicant seeking a temporary license as a civil engineer,  
24 geotechnical engineer, structural engineer, land surveyor,  
25 professional geologist, professional geophysicist, certified  
26 engineering geologist, or certified hydrogeologist pursuant to this  
27 section shall successfully pass the appropriate California-specific  
28 examination or examinations required for licensure in those  
29 respective professions by the Board for Professional Engineers,  
30 Land Surveyors, and Geologists.

31 (g) A board within the department may require an applicant to  
32 successfully pass an examination in jurisprudence or California  
33 law and ethics for the issuance of a temporary license pursuant to  
34 this section if successfully passing the examination is a requirement  
35 for all applicants for full licensure.

36 (h) This section shall not apply to the California Architects  
37 ~~Board~~ Board, the Landscape Architects Technical Committee, the  
38 Contractors' State License Board, or the State Board of  
39 Chiropractic Examiners.

- 1 (i) This section shall not apply to a board that established a
- 2 temporary licensing process before January 1, 2014.

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